(Spl. - H.C.A.S. C.D., 78-e)
FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF BOMBAY AT GOA
PANAJI – GOA
APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 56 OF 2004.

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Shri S.N. Sardessai, Public Prosecutor for the State/Respondent.

CO RAM N.A. BRITTO, J.

DATE : 23rd SEPTEMBER, 2004.

P.C.

The petitioner who is accused No.1 in Sessions Case No. 44/2001/1 complains of delay of the trial of Sessions Case No.49/2000.

2. A perusal of the report furnished by the learned Addl. Sessions Judge shows that charge against the said accused was framed on or about 13.6.2002 and charge against the accused No.4 Vicky was framed on 16.12.2002 after he was arrested subsequently. The trial of the said Sessions Case began on or about

10.10.2003 when the evidence of the first witness of the prosecution was recorded. However, it appears that thereafter the trial was adjourned for one reason or the other, including on one occasion on the ground that the learned Addl. Sessions Judge was busy with administrative work. Although almost a year has passed from the time the trial started, it appears that only five witnesses of the prosecution have been examined thus far. Needless to say, that once the trial had begun, the same had to be completed in accordance with Section 309 of the Code of Criminal Procedure, 1973.

3. The learned Addl. Sessions Judge (I) is therefore hereby directed to complete the trial of the said Sessions Case by following the said provisions of Section 309 of the Code of Criminal Procedure, as expeditiously as possible. The petitioner/accused as well as the learned Addl. Sessions Judge(I), Margao to be

informed accordingly.

Petition disposed of on the above terms.

N. A. BRITTO, J.

sl.